

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

Jane Doe I, et al.,)	
)	
Plaintiffs,)	
)	
v.)	4:08CV-01518 CEJ
)	
Jeremiah W. Nixon, et al.,)	
)	
Defendants.)	

**DEFENDANTS' RESPONSE TO PLAINTIFFS' MOTION FOR EXTENSION OF TIME TO
FILE THEIR RESPONSE TO DEFENDANTS' MOTION FOR ABSTENTION FROM OR
STAY FURTHER PROCEEDINGS IN THIS CASE AND DEFENDANTS' ATTENDANT
REQUEST FOR CONTINUANCE TO FILE THEIR REPLY**

Come now Defendant Robert P. McCulloch and Chief Tim Fitch (Defendants), in their official capacities, by and through Lorena Merklin von Kaenel, and file this brief response to Plaintiff's Motion for Extension of Time to File a Response to Defendants' Motion for Abstention from or Stay Further Proceedings in this Case and attendant request for continuance to file their Reply. Defendants state:

1. Defendants have no objection to Plaintiffs' request for a continuance to August 4, 2009.
2. Unless Plaintiffs agree that abstention or a stay is appropriate, then Defendants would have to request a continuance from the August 4, 2009 date for Defendants to file their reply.
3. The below-signed counsel will be out of the country on August 4, 2009 attending to family matters and on vacation until August 24, 2009 and would therefore need some reasonable time to formulate their reply should the Plaintiffs disagree that a stay or abstention is appropriate.

4. Therefore, should this Court grant the Plaintiffs their continuance, for the above-stated reasons, the Defendants request an attendant continuance to September 1, 2009 to file their reply.
5. Defendants' counsel has spoken to Plaintiffs' counsel with respect to these matters. The Plaintiffs' have no objection to the Defendants' request for this continuance.

WHEREFORE, Defendants respectfully request this Court continue the time for their filing a reply to September 1, 2009, and for such other relief this Court deems just and proper under the circumstances.

Respectfully submitted,

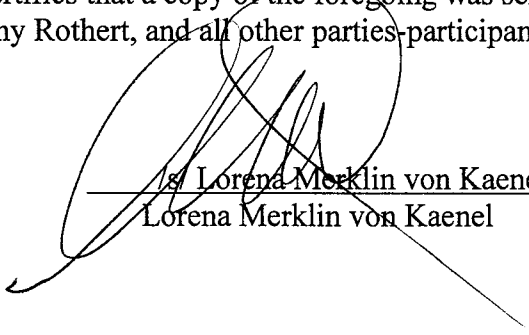
PATRICIA REDINGTON
COUNTY COUNSELOR

By 

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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing was sent by means of Notice of Electronic Filing to Anthony Rothert, and all other parties-participants to the above-entitled action.


/s/ Lorena Merklin von Kaenel
Lorena Merklin von Kaenel